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ulative nor a priori in method. Those with a taste for the metaphysic of law, as to its origin, validity or purpose in the abstract sense will find little. It is an actual system that is scientifically treated, and not a theoretical, and this element of concreteness, of actuality, is doubtless the element that accounts for the favor with which the book has been received by English and American students.

But words of commendation are not needed for a book in its tenth edition. The lawyer with any scientific or philosophical tendency, who has not read and studied Holland, has missed a valuable aid to his general understanding of the subject of his profession.

E. B. G.

*A Treatise on the Law of Municipal Corporations.* By Howard S. Abbott. Sheep. Volume 3, Pages XIX, 3045. Keefe-Davidson Company, St. Paul, 1905.

This topic of the law has had such a variant growth, developing in different parts of the country to meet the conditions as they there arise and depending in many instances upon the legislative action of bodies made up of men of all degrees of legal learning, as well as all degrees of common sense, that it is difficult to classify the subdivisions of the subject in a manner the logic of which will appear to all. Judge Dillon, in his work on the subject, seems to have based much of his arrangement upon general historical development, the author here discussed appears to have made his arrangement, wherever possible, upon the basis of an imagined composite, or typical municipal corporation, taking it from its original inception up through its growth and future life. From a legal standpoint this is an improvement, as a lawyer's mind more readily follows the sequence of events in a properly conducted legal procedure, than it does the actual, though sometimes illogical, sequence of events in history.

This work is, in a great measure, to Municipal Corporations what Wigmore is to Evidence, Thompson to Negligence and Page to Contracts. It is not entirely analagous to any of these works, and could not be. The peculiar and unique condition of municipal corporation law prevents that. The work does not seem quite as exhaustive as either Wigmore or Thompson, but is more nearly like Page. It differs from Page in that it has in its notes more quotations from the important cases, thus putting the lawyer in possession of the basic law even in the absence of a good library of reports. The author realized that of those lawyers, the main part of whose practice is in municipal corporation law, the majority dwelt in the smaller towns and cities, where law libraries containing complete files of all the reports are not easily accessible, and by wisely following the example set by Judge Dillon of inserting many and lengthy case quotations, he has made his work especially valuable to this class of lawyers. It would be well for every such lawyer to have this work as well as that of Dillon, for though of necessity they do to a certain extent cover the same ground, they are by no means entirely co-exten-

sive; for where another author has given a good discussion of a sub-topic, the present author instead of giving a long discussion, merely cited, or possibly gave a short quotation from, the other work, and a very thorough knowledge of former books on the subject is shown.

The style of this book is not the same as that of Dillon's. Judge Dillon's work contains more meaning per word, but it requires earnest and closely applied study to extract the meaning, while in this work of Mr. Abbott's the sentences are not as a rule quite so meaty, but the principle expressed is generally more easily grasped at first reading. Judge Dillon seems to have put more of his heart into his work, also more of his personal opinions, while Mr. Abbott has to a great extent stated the law and not his personal opinions thereon. The place where his individual ideas most frequently creep in is in the hypothesis from which he deduces the reason for the law, as for example at page 685, "The less government they have, the more independent and prosperous they are, etc.," is used in explaining the rule against Municipal Corporations engaging in private enterprises. In general, Mr. Abbott's style seems studied and academic, rather than spontaneous.

Many authors make the mistake of trying to harmonize decisions that are not at all in accord. It is, of course, nice to think of our chosen profession as the great, consistent and logical set of authoritative rules, which in theory it of course is. But practically it is far from that. In fact the harmonization of the rules is, and has been, the life-work of many thousands of judges, and they are far from perfecting their task. For a single author to attempt to work out a perfectly consistent set of rules and have them law is impossible. Mr. Abbott has been very successful in steering clear of this shoal-Charybdis, but in doing so has approached its Scylla, the leaving of apparent rather than real inconsistencies unexplained. For example, to the mind young and seeking in the law, it is somewhat disconcerting to read in one sentence that "the expense, etc. . . . must be paid wholly by the state," and then to follow on into the next sentence and discover that "by law, however, a certain portion of the expense may be chargeable against the county or district, etc." (p. 2461.)

The two hundred page index is very full and complete and almost large enough to require a sub-index. In the several points looked up through it, by way of experiment, it seemed to lead one by a path shorter than is usual to a discussion of the points sought. However, this matter of close relation between the index and point sought, is one that is difficult to judge by experiment; it takes the heat and zest of seeking law for an actual conflict to bring forcibly to one's attention the great virtue of an index, or its inadequacy, as the case may be.

On the whole, this work, although not the best of its kind, is one upon which an enormous amount of very well directed work has been spent, and the possession of it will save many a lawyer the necessity of doing that work, when he desires some part of it for a case.

S. W. B.